

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

ANN MARIE ATTRIDGE, §
§
Plaintiff, §
§
v. § Civil Action No. 5:20-cv-00205-OLG
§
COLONIAL SAVINGS F.A. and §
TRANSUNION, LLC, §
§
Defendants. §

DEFENDANTS' MOTION FOR CONTINUANCE OF TRIAL

Defendant Colonial Savings, F.A. (“Defendant”) files this their Motion for Continuance of Trial and respectfully show the Court as follows:

I.

Defendant hereby moves this Honorable Court for a Continuance of the Jury Selection and Trial of the matter presently scheduled for April 3, 2023. Regrettably, Counsel for Defendant has recently been informed that Defendant does not have a witness who will be available on the scheduled Trial date of April 3, 2023 due to a scheduling conflict. Counsel for Defendant has recently been informed that a key witness for the Defendant will be out of the country on a preplanned trip to Rome, Italy with tickets purchased in September 2022. Counsel for Defendant was unaware of the conflict when the trial setting was previously discussed and sincerely apologizes for the delay.

This Motion is not interposed for purposes of delay, but rather, in the interests of justice and preservation of the parties’ and this Honorable Court’s time and resources. Further, Defendant respectfully submits that no party will be prejudiced by a granting of this Motion. Defendant respectfully submits that a continuance of the aforementioned date will afford this

Honorable Court with an opportunity to consider and rule upon Defendant's pending motion to dismiss for lack of standing.

WHEREFORE, for good cause shown, Defendant hereby moves this Honorable Court for a Continuance of the Final Pre-Trial and Trial dates presently scheduled in the above captioned until a suitable later date chosen by the Court.

Respectfully submitted,

By: /s/ Mark D. Cronenwett
MARK D. CRONENWETT
Attorney in Charge
Texas Bar No. 00787303
mcronenwett@mwmzmlaw.com

MACKIE WOLF ZIENTZ & MANN, PC
14160 N. Dallas Parkway, Suite 900
Dallas, Texas 75254
(214) 635-2650
(214) 635-2686 (Fax)

**ATTORNEYS FOR DEFENDANT
COLONIAL SAVINGS, FA**

CERTIFICATE OF CONFERENCE

The undersigned counsel for movant personally conferred with counsel for Plaintiff, William N. Clanton, and he was opposed to the relief requested herein.

/s/ Mark D. Cronenwett
MARK D. CRONENWETT

DECLARATION

Pursuant to 28 U.S.C. Section 1746, I declare under penalty of perjury that the following statements are true and correct:

1. "My name is Mark D. Cronenwett. I am over the age of 21 years and am fully competent to make this affidavit. I have personal knowledge of all the facts stated herein, and all statements of fact contained herein are true and correct."
2. I am an attorney for Mackie Wolf Zientz & Mann, P.C. ("MWZM"), attorneys for Defendant Colonial Savings, F.A. in the above referenced suit.
3. I have read the foregoing "Motion for Continuance of Trial" and the averments contained therein are within my personal knowledge and are true and correct."

FURTHER DECLARANT SAYETH NOT.

Executed on February 17, 2023.

/s/ Mark D. Cronenwett
MARK D. CRONENWETT

CERTIFICATE OF SERVICE

I hereby certify that on February 17, 2023, a true and correct copy of the foregoing was served via ECF notification on the following counsel of record:

William M. Clanton
Law Office of Bill Clanton, PC
926 Chulie Drive
San Antonio, TX 78216
210-226-0800
210-338-8660 FAX
bill@clantonlawoffice.com

/s/ Mark D. Cronenwett
MARK D. CRONENWETT